

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,

v.

LAUREN STEVENS

Defendant.

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Case No.: RWT 10cr0694

ORDER
****UNDER SEAL****

In preparation for the March 17, 2011 motions hearing, the Court has carefully reviewed Defendant's Motion for Disclosure of the Government's Presentation to the Grand Jury Relating to the Advice of Counsel Defense and 18 U.S.C. § 1515 (ECF No. 25) and both the redacted and unredacted versions of the United States' opposition to that motion (ECF No. 27). In its unredacted opposition, the Government concedes that a grand juror asked about the advice of counsel defense, and that a response was given, the nature of which is not provided.

Accordingly, the Court finds that the requisite showing has been made under Federal Rule of Criminal Procedure 6(e)(3)(E)(ii) to authorize disclosure to the Court of the grand jury proceedings held in this Court and the United States District Court for the District of Massachusetts for its immediate, *in camera* review. In addition, the Government is directed forthwith to provide to Chambers an electronically-searchable version of these transcripts.

The Court is concerned that the Government has only provided Defendant Stevens with a redacted version of its opposition to her Motion for Disclosure of the

Government's Presentation to the Grand Jury Relating to the Advice of Counsel Defense and 18 U.S.C. § 1515, and that it does not include significant information, including a grand juror's question as to the advice of counsel. Accordingly, the Government is directed to file a memorandum addressing its justification for denying Defendant an unredacted version of its opposition to that motion on or before noon on March 11, 2011.

In addition, the parties are directed to file, on or before March 14, 2011 at noon, supplemental briefing on what effect there would be on the Indictment if a question on the advice of counsel defense was asked by a grand juror and was incorrectly answered.

Accordingly, it is, this 9th day of March, 2011, by the United States District Court for the District of Maryland,

ORDERED, that Government is **DIRECTED FORTHWITH** to prepare and file under seal transcripts of the grand jury proceedings held in this Court and the District of Massachusetts; and it is further

ORDERED, that the Government is **DIRECTED FORTHWITH** to provide to Chambers an electronically-searchable version of these transcripts; and it is further

ORDERED, that the Government is **DIRECTED** to file a memorandum addressing its justification for denying Defendant an unredacted version of its opposition to Defendant's Motion for Disclosure of the Government's Presentation to the Grand Jury Relating to the Advice of Counsel Defense and 18 U.S.C. § 1515 on or before **March 11, 2011 at noon**; and it is further

ORDERED, that the parties are **DIRECTED** to file, on or before **March 14, 2011 at noon**, supplemental briefing on what effect there would be on the Indictment if a question on the advice of counsel defense was asked by a grand juror and was incorrectly answered.

/s/

ROGER W. TITUS
UNITED STATES DISTRICT JUDGE